THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20255 OF 2005

DATED:19.10.2005

Between:

K. Suneetha

…Petitioner

And

The State Election Commission

Represented by its Commissioner,

III Floor, Budha Bhavan, Mahatma Gandhi Road

Secunderabad and others

…Respondents

WRIT PETITION NO.21410 OF 2005

Between:

M. Chittemma and another

…Petitioner

And

The State Election Commission

Represented by its Commissioner,

III Floor, Budha Bhavan, Mahatma Gandhi Road

Secunderabad and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20255 AND 21410 OF 2005

COMMON ORDER:

On the eve of Municipal Elections - 2005, after issuing of the notification by the District Election Authority for elections to Mahabubnagar Municipality, petitioners in both the Writ Petitions and seventh respondent filed nominations. The petitioners alleged that seventh respondent was convicted for offence under Sections 323 and 504 read with Section 34 of Indian Penal Code (IPC). But, her nomination was accepted and included in the list of valid nominations. Aggrieved by the same, petitioners seek a declaration that the action of the Election Officer in permitting the seventh respondent is illegal and contrary to Section 15(1)(b) of the A.P.

Municipalities Act, 1965 and A.P. Municipalities (Conduct of Election of Members) Rules, 2005.

First Writ Petition was filed on 13.9.2005 and second Writ Petition was filed on 29.9.2005. Be that as it is, learned Standing Counsel for Municipalities, State Election Commission and learned Assistant Government Pleader for Municipalities submit that seventh respondent in both the Writ Petitions, namely, G. Lakshmi Devi, was duly elected in the elections conducted on 24.9.2005. In that view of the matter, the Writ Petitions cannot be entertained. If so advised, the petitioners may file appropriate election petition before the jurisdictional Election Tribunal. If such election petition is filed in accordance with law, the same shall be disposed of within a period of six months thereafter.

The Writ Petitions with the above observations are accordingly disposed of. No costs.

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(V.V.S.RAO, J)

19.10.2005

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